

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT FORM THE  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

2015 MAR 31 P 3:55

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

Raphael W. Robinson  
Creditor/Objector

V

In re

CITY OF DETROIT, MICHIGAN,  
Debtor/

Chapter 9  
Case No. 13-53846  
Magistrate Judge:  
Thomas J. Tucker

**OBJECTION TO NOTICE OF MOTION OF THE CITY OF  
DETROIT, PURSUANT TO SECTIONS 105(a) AND 502(c) OF THE  
BANKRUPTCY CODE AND BANKRUPTCY RULE 3021, FOR AN  
ORDER APPROVING RESERVE AMOUNT FOR CERTAIN DIS-  
PUTED OR UNLIQUIDATED UNSECURED CLAIMS IN CON-  
NECTION WITH DISTRIBUTIONS TO BE MADE UNDER THE  
EIGHTH AMENDED PLAN FOR THE ADJUST-MENT OF THE  
CITY OF DETROIT**

NOW COMES the above creditor/objector in this response object to the document disguised as a notice pursuant to Section 105(a) and 502(c) of the bankruptcy code and bankruptcy rule 3021 for an order approving reserve amount for certain disputed or unliquidated unsecured claims in connection with distributions to be made under the Eighth Amended Plan

for the Adjustment of the city of Detroit and for the following reasons:

1) The Plan of Adjustment, confirmation of the plan and any thing connected or stemming from the plan of Adjustment was not filed in good faith and has to complied with the bankruptcy code and rules 11 USC 923 governing the notice. There have been numerous objections to method of your way of so called notifying people in the following objection Docket Number: 8306, 8233, 8314, 8428 8310.

2) I have not been legally notified personally or publicly and a associate just stumble across it on the internet. We have not been notified and most the people contacted have not received a notice and more time is need to consult legal assistant and advice.

3) We object further to this notice also because there never was a legal vote on the plan the only attempt was with counterfeit ballots and violation of the election laws. The plan of adjustment and confirmation of the plan was unconstitutional and deprived and denied us Basic Civil Right 42 USC 1983 and due process of law of the 5th and 14th Amendments of the Constitution of the United States.

2) We also objected to the impairment and diminishing the health care and pension benefits that is protected by Article 9 Section 24 Constitution of

the State of Michigan and the 10th Amendment of the Federal Constitution.

3) The pension has double from two and half (21/2) billion to four and half to five (41/2) to 5 Billion from 2012 to 2014.

4) We never had a hearing and as stated above no notice as well and this violated the Supreme Court Decision a person must have timely and adequate notice detailing the reasons for the notice and an effective opportunity to defend. *Goldberg v. Kelly* 397 U.S. 254 (1970) citing *Armstrong v. Manzo*, U.S. 545, 552 (1965).

5) We object and disagree with your letter because the so-called Recoupment and it doesn't apply to me or any other retirees and/or pensioners because there no grounds to recoup. The word recoupment means "It is keeping back something which is due because there is an equitable reason to withhold it; and is uniformly applied where a man bring an action for breach of a contract between him and the defendant; and where the latter can show that some stipulation in the same contract was made by the plaintiff, which he has violated, the defendant may, if he choose, instead of suing in his turn, recoupe his damages arising from the breach committed by the plaintiff. *Ives v. Van Eppes* 22 Wend, N.Y. 156. And see *Barber v. Chapin*, 28 Vt. 413 Black's Law Dictionary revised 4th Edition. We don't

owe anything and have not agree to pay anything and their is no contract of recoupment.

WHEREFORE and all the above facts and law we Object to this notice Section 105(a), 502(c) and Bankruptcy Rule 3021 and request that this notice be voluntary rescinded, withdrawn or cancel or be declared null and void because of its failure to be presented in good faith and failure to comply with the Bankruptcy Rules and code and contravening due process of the law.

Sincerely submitted

Raphael W. Robinson  
Raphael W. Robinson  
Name interest party/creditor/objector

Address: 23451 margareta

City and state Detroit, MI 48219

Date 3-31-2015

\_\_\_\_\_  
Name interest party/creditor/objector

Address: \_\_\_\_\_

City and state \_\_\_\_\_

Date \_\_\_\_\_

# United States Bankruptcy Court

FILED

In re

Raphael W. Robinson

*Set forth here all names including married, maiden, and trade names used by debtor within last 6 years.]*

*creditor*  
*Robinson*

Address 23451 Margareta  
Detroit, MI 48219

Employer's Tax Identification (EIN) No(s). *[if any]*: \_\_\_\_\_

Last four digits of Social Security No(s).: 1714

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U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

Case No. 13-53846

Chapter 9

## NOTICE OF [MOTION TO] [OBJECTION TO]

objector has filed papers with the court to [relief sought in motion or objection].

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to [relief sought in motion or objection], or if you want the court to consider your views on the [motion] [objection], then on or before (date), you or your attorney must:

[File with the court a written request for a hearing {or, if the court requires a written response, an answer, explaining your position} at:  
Bankruptcy Court  
211 W. Fort Street Suite 2100  
Detroit Michigan 48226  
(address of the bankruptcy clerk's office)]

If you mail your {request} {response} to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:  
City of Detroit  
Corporation Council  
First National Building  
100 Woodward Ave  
(movant's attorney's name and address) Detroit Michigan 48226  
(names and addresses of others to be served)]

[Attend the hearing scheduled to be held on (date), (year), at a.m./p.m. in Courtroom  , United States Bankruptcy Court, {address}.]

[Other steps required to oppose a motion or objection under local rule or court order.]

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: 3-31-2015

Signature: Raphael W. Robinson  
Name: Raphael W. Robinson  
Address: 23451 Margareta  
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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FILED

2015 MAR 31 P 3:55

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

Name

v

In re:  
CITY OF DETROIT, MICHIGAN  
AND EMERGENCY MANAGER  
KEVYN D. ORR

Chapter 9  
Case No. 13-53846  
Magistrate judge:  
Thomas J. Tucker

Debtor

PROOF OF SERVICE

Carl Williams, being first duly sworn  
deposes and

Say that on March 25 2015. I sent a copy of Notice of motion of the City  
of Detroit, pursuant to section 105(a) and 502 (c) of the bankruptcy code  
and Rule 3021 for order approving reserve amount for certain disputed or  
unliquidated unsecured claims in connection with distributions to be made  
under the Eighth amended plan of adjustment of the city of Detroit of  
Magistrate Judge Thomas J Tucker, upon the concern parties by certified  
mail at the following address:

City of Detroit  
Corporation Council  
First National Building  
600 Woodward Ave  
Detroit, Michigan 48226

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign Carl B. Williams